IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 18TH MAY 2007 / 28TH VAISAKHA 1929

Crl.MC.No. 1609 of 2007()

CC.605/2004 of JUDL.MAGISTRATE OF FIRST CLASS COURT, ALATHUR

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(CRIME NO..49/2004 OF VADAKKANCHERRY POLICE STATION)

PETITIONER: ACCUSED:

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1. **PRAKASHAN.C., S/O.CHAMY, AGED 35 YEARS, NAIKARAKADU VEEDU,KUNNUPARAMBU, MUDAPPALLOOR, ALATHUR TALUK.**

2. **C.SURESH, S/O.CHAMY, AGED 33 YEARS, -DO- -DO-.**

3. **SUTHEESH, S/O.KASHU, AGED 24 YEARS, KUNNUPARAMBU VEEDU, MUDAPALOOR, ALATHUR TALUK.**

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS:

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1. **STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUOTOR, HIGH COURT OF KERALA, ERNAKULAM.**

2. **SUB INSPECTOR OF POLICE, VADAKKANCHERRY POLICE STATION, PALAKKAD DISTRICT.**

BY PUBLIC PROSECUOTOR SRI. V.T.K. MOHANAN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J.

Crl.M.C.NO.1609 OF 2007

Dated this the 18th day of May 2007

ORDER

The petitioners are the accused in C.C. No. 605/2004 of the Judicial First Class Magistrate Court, Alathur with respect to the offence under Sections 452, 323, 324 r/w 34 of Indian Penal Code. It is submitted that since they were employed in Tamilnadu, they could not appear before the court below. It is apprehended that there will be an order of pre-trial detention on their appearance. Hence they have sought for a direction to the court below that they may not be ordered to be detained on their appearance.

In the circumstances, the petitioners are directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail on the date of appearance of the petitioners itself. The Crl.M.C is disposed of accordingly.

K.R.UDAYABHANU
JUDGE

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